IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 21108 of 2007(K)

PETITIONERS:
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1. RAMLATH, D/O.LATE MUHAMMED KASIM,
MERCHANT, 15/64, KOZHINJAMPARA TOWN,
CHITTUR TALUK, PALAKKAD DIST.

2. THAJUDHEEN, S/O.MUHAMMED KHANI,
MERCHANT, 15/64, KOZHINJAMPARA TOWN,
CHITTUR TALUK, PALAKKAD DIST.

BY ADV. SRI.SAJAN VARGHEESE K.
SRI.LIJU. M.P

RESPONDENTS:
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1. SUB INSPECTOR OF POLICE,
KOZHINJAMPARA POLICE STATION,
KOZHINJAMPARA, CHITTUR TALUK,
PALAKKAD DIST.

2. RAHMATH, W/O.LATE MUHMMED KASIM,
PALLI STREET, KOZHINJAMPARA, CHITTUR TALUK,
PALAKKAD DIST.

3. YASMINE, D/O.LATE MUHAMMED KASIM,
PALLI STREET, KOZHINJAMPARA, CHITTUR TALUK,
PALAKKAD DIST.

4. JAFFRULLA KHAN, PALLI STREET,
KOZHINJAMPARA, CHITTUR TALUK,
PALAKKAD DIST.

5. THE SUPERINTENDENT OF POLICE,
PALAKKAD DIST.

BY GOVERNMENT PLEADER SRI. P.A.SALIM

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 21108/2007 K

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE PLAINT IN OS NO. 77/2007 ON FILE MUNSIFF'S COURT, CHITTUR ALONG WITH ORDERS.

EXT.P2. COPY OF THE IA. NO. 330/2007 IN OS NO. 77/07 ON THE FILE ON MUNSIFF'S COURT, CHITTUR ALONG WITH ORDERS.

RESPONDENT'S EXHIBITS **NIL.**

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K.BALAKRISHNAN NAIR &

T.R.RAMACHANDRAN NAIR, JJ.

W.P.(C) NO. 21108 OF 2007-K

Dated 23rd October, 2007.

JUDGMENT

Balakrishnan Nair, J.

The petitioners, who are wife and husband, are running a business in a shop room. The 2nd respondent is the mother of the 1st petitioner. The 3rd respondent is the 1st petitioner's sister and the 4th respondent is the husband of the 3rd respondent. When respondents 2 to 4 tried to interfere with the possession and enjoyment of the shop room by the petitioners, they moved the civil court by filing Ext.P1 suit. There is an interim injunction in the said suit against those respondents, as evident from Ext.P2. But, ignoring the said interim order, respondents 2 to 4 are continuing their interference with the plaint schedule premises. The 1st respondent is hand in glove with them and supporting their illegal activities. Feeling aggrieved by the alleged harassment from the part of the 1st respondent, this writ petition is filed.

2. The learned Government Pleader, upon instructions, submitted that

respondents 2 and 3 filed a complaint before the District Collector, alleging that the petitioners are dealing in explosives unauthorisedly. The said complaint was forwarded to the 1st respondent for enquiry and action. Therefore, the said respondent made enquiries into the same, it is submitted. The allegations of harassment are unfounded, it is pointed out. The learned Government Pleader further submits that the complaint was found to be false and it has been filed because of the dispute between the parties. He also submitted that the 1st respondent has no plans to harass the petitioners. In view of the above submission, the writ petition is closed.

K.BALAKRISHNAN NAIR, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

Nm/